

## TAYLOR TRIAL SET FOR 1915; BOND IS FIXED AT \$500

(Continued from page 1.)

"I ran upstairs when I could get away from him and when I got to the top of the steps the blood was running out my mouth.

"He was trying to shoot me, he would come on and say I am going to kill you. I was looking at him and running backwards. He was walking about the side walk. I was running on the sidewalk. I ran upstairs and he tried to shoot me when I ran around the iron post and the wood post that were tied together. The wood post was holding the electric wires up, and when I grabbed at it I found that my arm was broke and I couldn't hold it.

"He was following along the sidewalk and he stopped as though he was trying to do something with his gun, and I made a run for the stairway. It looked as though he was trying to fix the gun. He had the handle with his right hand and it looked as though he was working the cylinder with his left. I went into the stairway and I don't know what he did after that. As I ran for the stairway he tried to shoot. He told me that he was going to kill me. The stairway is about 25 or 30 feet north of the front door of the restaurant.

When cross examined by Attorney T. H. Hines, counsel for defendant, the witness testified as follows:

"I am 47 years old, I am 6 feet and 2 inches tall, and at the time of the accident I weighed 230 pounds.

"At the time I was shot I was getting ready to go to the ball game. I am not a ball player myself.

"My brother was near me during the trouble. He is not quite as tall as I am, and he weighs considerable less than I do.

"I do not know the age of Mr. Taylor. I would judge him to be as much as 50.

"He is not a very large man and I would say that he is five feet and eight or ten inches tall.

"The trouble began in the restaurant I conduct. Mr. Taylor has been there often and ate there, and we had never had any difficulty at any time or place. Everybody is invited there that will come in and behave.

"The waiter stated that Mr. Taylor had ordered two pieces of pie and a cup of coffee. I just stepped in and did not notice that he was at the counter until he kicked about not getting a fork. The boy had not had time to get him a fork.

"This happened at about 2:30 in the afternoon and the north bound Frisco train passes up I think at 2:15 or 2:20, but I don't know whether he was coming away or not."

When the witness was asked if the please give him a fork so that he defendant did not ask the waiter to could eat his pie, he answered: "No, he never talks that way. He asked me how I expected him to eat the pie without a fork.

"I was standing behind the counter up near the cigar case and Taylor was down about the middle of the counter, about 5 feet, but further down from the front end of the counter, possibly 10 feet from the door.

"I was behind the counter and had a glass in my left hand and held one fork up in my right hand. I told him that I would get him a fork, but the boy had not time to get him a fork, and I don't know whether he was coming away or not."

"I don't remember him saying to the waiter 'get me a fork, you men are old enough to wait on yourselves.'"

"After we had got in the argument I told him I would not hit him. I don't think I told him that I would hit him. I am not positive that I didn't, but I know that I told him I would not hit him. I didn't draw up like I was going to hit him, and I don't believe that I told him I would hit him, and I didn't tell him that I would knock his face off.

"When he stepped outside he said I was a liar, and when I told him I would throw him out I don't think I said I would hit him.

"The whole transaction took about a half a minute. He came up to the show case and got to talking smart and I told him if he didn't go out I would put him out. I didn't threaten to hit him, and I never have hit a man in my place without just cause.

"He might have left in order to avoid trouble, or because he was sore. He might have left the inside to avoid trouble, I don't know. I wanted him to go away but I never told him that I would knock his face off. I didn't follow him to have a fight and I didn't knock him down. I went out there to talk to him and when I pushed him down I did it to defend myself. He was trying to hit me and he struck over my shoulder and lost his balance and ran into me. I threw my hand up and shoved him backward and he went back to the edge and

his foot slipped off and he fell toward me. I pushed him back towards the street. I could not see that his thumb was hurt and his clothes were bloody and I do not believe that it is true.

"I was about five feet from him when he drew the gun, and when he fell I made no effort to touch him, and when he went to get his gun I ran. I was five or six feet from him when he fired. When he went to shoot I turned my side to him and threw up my hand. I made no attack on him in the first place and when he fell I did not want to hurt him."

When asked if he did not send for the defendant to come to see him at the hospital, the witness replied:

"I said if he wanted to come, he could come. Dr. Wichterich told me that Mr. Taylor was very sorry and would like to see me. I did not tell Dr. Dalton and Dr. Cunningham that I would like to see Mr. Taylor. Dr. Wichterich came into my room, and said the old man was very sorry and would give everything in the world if he had not shot me and would like to talk to me; and I told him if Mr. Taylor wanted to talk to me he could come up."

The next witness called was Deputy Sheriff W. J. Sengraves, who produced the gun with which the shooting was alleged to have been done. Mr. Sengraves testified that he had gone to the office of Mr. Taylor shortly after the affray and had taken charge of the defendant after he had been placed under arrest. He also testified that a physician treated the injured thumb before they left the office.

The state then rested its case, and L. B. Macom was called as a witness in behalf of defendant.

When questioned by Attorney Hines, he testified as follows:

"My name is L. B. Macom and my residence is Jackson, Mo. I am a graduate of the State University of Missouri and am an electrical engineer, but am now teaching school.

"I was in Cape Girardeau and at the Crescent Restaurant on the 11th day of October, this year when there was a difficulty between John W. Taylor and Mr. Freeman. I was seated at one of the tables in the restaurant, and as nearly as I remember Mr. Taylor was seated at the counter, and when I first noticed him he asked the waiter, 'give me a fork please so I can have something to eat this pie with' and Mr. Freeman jokingly said, 'it don't make any difference if you haven't a fork now, we have something up here more important.'

"Mr. Taylor got up and said: 'If that is the way you feel about it, I won't eat the pie' and started to lay the money down, and Mr. Freeman said 'If that is the way you are feeling about it, I don't want your money.' 'Something was said about being sore and each apparently grew angrier as the remarks were passed. The next I remember was Mr. Freeman saying, 'don't tell me that I won't hit you, for I will, and you know that I will.' Immediately after this Mr. Taylor called him a liar and Mr. Freeman started to the glass, and they were apparently looking at each other but I am unable to say because Mr. Freeman was between me and Mr. Taylor.

"The next I saw, Mr. Taylor fell as he started to get up, he was reaching towards his trousers, and then I didn't see any more. I had business elsewhere, and I started toward the back of the restaurant.

"Before Mr. Freeman told Mr. Taylor not to tell him that he would not hit him, I did not hear him make any threats.

"When Mr. Taylor asked the waiter for the fork, I remember that he used the word 'please'.

"Mr. Freeman was behind the counter in the front of the restaurant when Mr. Taylor started out. He was between Taylor and the door but back of the counter, and the remark he made about hitting him was uttered as Mr. Taylor was going out, and the reply that Freeman was a liar was made immediately after the statement.

"I do not know any other remarks made by either of them.

"Mr. Freeman walked two or three steps to pass out the door, and I saw both with their hands up but I didn't see any blows struck. Mr. Taylor fell with his head toward the north, and fell backward from the way that he was standing. I didn't see Mr. Taylor draw his gun. I saw him reach towards it and I began to get to the other side of the restaurant. I saw Mr. Taylor afterwards standing in the street for an instant before he ran across towards the Sturdivant bank."

At the conclusion of Mr. Macom's testimony, and after argument of the respective counsel had been submitted, the judge held that sufficient evidence had been adduced to justify binding the defendant over to the January

term of the Circuit Court. The bond was fixed at \$500 and was signed by Dr. R. F. Wichterich of this city and Clarence Grant of Jackson.



News From The County Seat  
By Miss Herline Kichno.

Jackson, Nov. 5.  
Mrs. Wm. Wagner, Sr., Mrs. Martin Wagner and Mr. and Mrs. Wm. Wagner, Jr., went to Orono this morning on a visit to relatives.

Mrs. Sam Peterson will entertain tonight, Mesdames A. M. Robertson, S. Sibbey, J. Heinberg, Wm. Wessell, J. V. Priest, E. Wagner, Angie Hoeslin and Miss Linda Benlein.

Miss Ida Hirsch of the Cape, is visiting her sister, Mrs. Lizzie Kerstner. Mrs. George Beattie, Jr., who has been very sick, is improving.

Magnus Dempsey of the Cape, drove out last night to take his mother who has been visiting Mrs. Schmaucke home.

Mrs. Herman Mueller, Sr., entertained yesterday in honor of Mrs. Tiedemann of St. Louis, and Mrs. Bader of the Cape, who have been Mrs. Mueller's guests for several days. The ladies present were Mesdames Tiedemann of St. Louis, Schlingbein, Bader and Dempsey of the Cape, and Wm. Paar, Wm. Schwartz, L. Boss, A. Puls, Fred and J. G. Kies.

Dr. and Mrs. Sample of Chaffee, who have been visiting the Doctor's parents at Pocahontas, passed through Jackson today on their way home.

Alvin Boss, Henry Puls and Clyde Vandivort went to Anna, Ill., today.

Mrs. E. F. Eggiman and daughter of Chaffee, are visiting Mrs. Eggiman's mother, Mrs. B. Schwab.

A number of Lester Hobbs' friends surprised him last night and helped him celebrate his fifteenth birthday.

A number of ladies had a most enjoyable afternoon at a quilting party given by Mrs. George Bingenheimer yesterday afternoon. Some who quilt-

ed are Mrs. J. Barks, J. S. Neumeyer, George Daugherty and J. Bingenheimer.

Mrs. Annie Limbaugh is visiting at the Cape.

Mrs. Tiedemann and Mrs. Bader, who have been visiting in Jackson the past week, have returned to the Cape.

The wires in the Western Union Telegraph office being out of commission, Miss Boramond Daley has moved her work to the office at the Iron Mountain depot.

We are afraid this weather is really too beautiful to last and tomorrow being 'the day after' the election, will find us grumbling with the weather man.

Mrs. Anna Ross entertained at dinner today, Mrs. Tiedemann of St. Louis, Mesdames Bader and Harnsey of the Cape, Mrs. Kate Schmaucke, Anna Puls and H. H. Mueller, Sr.

Charles La Pierre, who has been visiting home for a few days, will leave today for Jefferson City to resume his work with Secretary of State, Roach.

Mrs. Dale Browning left this morning for St. Louis to visit her husband, who is in the Jewish hospital, and reported so well last night.

All-Souls' Day was duly observed by high mass in the Catholic church yesterday.

Three little lads from school, Eugene McNeely, Henry Boss and Ben Howard, will have a triple birthday celebration at the home of Henry Boss, this afternoon. The birthdays are not all on this day; Eugene's being last Saturday, Henry's today and Ben's next Sunday. The boys have been celebrating together for several years. Carlton Hoffmeister will champion the party.

John Bueckle, Sr., had an operation performed on his eyes at St. Francis hospital in the Cape yesterday. Dr. Gownt, who performed the operation, says the old gentleman stood it well, but it will require several days' time to determine whether it was successful or not. We truly hope Mr. Bueckle's eyesight will be restored.

R. B. Oliver is having repairs made on his house on First South street. We understand a Mr. Birdenow has rented the property.

Frankie Paar and Theodore Ade, who have been visiting Adolf Kuellmer in St. Louis, will return home today.

Miss Francis Mille entertained Miss Flora Loos and her brother, Elmer, of Murphysboro, Ill., at six o'clock din-

ner yesterday.

Arrived, this morning, a little son at the home of Mr. and Mrs. "Duck" Goza.

The Ladies' Aid of the Evangelical church meets with Mrs. Robert Hoffmann Thursday afternoon.

Mrs. John Macke of the Cape, is visiting relatives in Jackson.

Frank Smith of Sikeston, is in town.

While Mrs. Patterson, colored, who lives several miles south of town, was visiting a sick neighbor yesterday, thieves entered her home and carried away quite an amount of good things, such as jellies and canned fruits. The owner, think they have a clue to the theft party.

A crowd of young people composed of Misses Eliza and Katie Loos, Ruth Schmauck, Ethel Linn and Hesters, John and Elsie Loos, Henry Steinel, John John and Albert Larimore and a boy ran out in the farm house of Mr. George Loos last night.

Adolph Kies and Weston Henderson left for Columbia yesterday to take a course in agriculture.

Mr. and Mrs. Schwartz and son, Melbert, Mrs. Fred Kies, Jr., and Miss Mary Kies, went to Jonesboro, Ill., the train being made in Schwartz's auto.

Fred Chippard is on the sick list. Mesdames Wilson La Pierre, Herman Mueller, Jr., and Rudy Wolters spent yesterday at the Cape.

Marguerite Jaeger will entertain with a Halloween party tonight. Mrs. J. A. Mayfield and son, Jessie and Mrs. A. A. Mayfield of Sikeston, are visiting the family of Emanuel Hartle.

Miss Cora Daley has been called to nurse Mrs. Otis Litzelfelner, who is very sick.

The Priest-Behrens store is doing a big business with cream. They are now sending a car to Pocahontas, New Wells and Shawneetown Tuesday and Friday of each week; and beginning next Monday, will send to Gordonville and Oak Ridge, each Monday and Thursday. All cream is tested in seller's presence.

Mrs. Will Hope and son, Carl, of Charleston, arrived on a visit to Mr. and Mrs. Howard of near Jackson.

Mr. and Mrs. Fred Schneider will entertain at dinner tomorrow, Mrs. Wm. Schneider and daughter, Miss Sophie.

Joe Durdan's nine year old son, Will, is very sick with pneumonia.

Mrs. John McNally and children and Mrs. G. Kurze visited at the Cape yesterday.

Miss Lorene Dalton of New Madrid, who has been visiting her grandparents, Mr. and Mrs. Wm. Byrd, left yesterday for Charleston where she will be the guest of Miss Marshall.

Our merchants are preparing for their annual fall sales. J. Heinberg's sale, which begins the 7th of November, will close one week later, and the Priest-Behrens, which also begins on the 7th, will continue for three weeks; and will give us all a chance to win an automobile, as that is the prize in an individual contest. Sales people from the Kansas City house, who have conducted two sales here before, will conduct this.

## BRITISH MINE SWEEPER SUNK BY GERMAN MINE

(Continued from page 1.)

raped unscathed while the British cruiser Monmouth was sunk, the cruiser Good Hope put out of action and the cruiser Glasgow with the transport Otranto sent scurrying for shelter in the neutral port of Talcahuano, where they are bottled up by the Leipzig and Bremen.

No British warship has arrived, so far as is known here, at any Chilean port, nor has any wreckage been found on the coast. The only information reaching the British legation here comes from German sources.

It is certain that the Scharnhorst, the Gneisenau and the Neurnberg arrived safely at Valparaiso, though somewhat the worse for their encounter with the Britishers.

One report has it that the Glasgow, badly damaged, arrived in Coronel Bay, while the Otranto escaped to Puerto Montt. It has been impossible to determine the exact movements of these two vessels since the naval action.

The battle occurred in a heavy sea. The Germans opened fire at six miles and for a time all the British shots fell short. Later when they got within range their guns scored a few hits and the casualties among the German crews were said to consist of a half dozen wounded. The German fire is described as excellent, though at the long range it required 400 hits to put the Britishers out of the fight.

The Scharnhorst and Gneisenau came from Australia, calling on Oct. 11 at Easter Island, where they took on a large quantity of provisions. British mail steamers in Chilean waters are sailing under the protection of Chilean torpedo boat destroyers.

## DEMOCRATS HOLD HOUSE AND GAIN IN U. S. SENATE

Majority In Upper Branch Of Congress Swells From Ten To Sixteen.

MANY GOVERNORS ARE  
WON BY REPUBLICANS

Woman Suffrage Loses Badly in Six States But Wins in Montana.

Washington, Nov. 4.—Complete returns from almost all of the Congressional districts in the United States show the Democrats have a clear majority of twenty-seven over all other parties in the House of Representatives, and a plurality of thirty-seven over the Republicans.

The line up in the House is: 231 Democrats; 194 Republicans; 1 Socialist; 8 Progressives; 1 Independent. In the Senate the Democrats have increased their majority from ten to sixteen, as follows: Democrats 56; Republicans 39 and Progressives 1.

The Republican avalanche of yesterday was talked over today in a conference and his cabinet. The President maintained an absolute silence as to public expression over the election.

President Wilson was at his desk early today and spent several hours going over the returns with his secretary and Thomas Pence, Secretary of the Democratic National Committee.

The President was especially interested in the returns from Illinois, and expressed disappointment over the apparent defeat of Roger Sullivan. Latest returns indicate that Lawrence Y. Sherman has been re-elected United States Senator from Illinois by about 5,000. Joseph G. Cannon, W. B. McKinley and W. A. Rodenberg, Republicans, have been elected to Congress.

Reports from California show Governor Johnson swept the State for re-election. James D. Thelan, Democratic candidate for United States Senator, has won over J. R. Knowland, Republican, with Francis Heney a distant third. The anti-prize fight amendment apparently has carried by a large majority. The indications are that the eight hour and prohibition were defeated by a vote of two to one.

The Prohibition forces carried Oregon by about 20,000, but are behind the wets in Colorado. Both sides are claiming victory in Colorado.

Woman Suffrage lost in Missouri, Ohio, North Dakota, South Dakota and Nebraska, but won in Montana.

E. L. Philipp, Republican, has been elected Governor of Wisconsin.

Robert L. Williams, Democrat, apparently has been elected Governor of Oklahoma, but the race is close.

Gov. James M. Cox of Ohio, today conceded his defeat and sent a telegram of congratulations to Frank B. Willis, Republican.

Gov. Walsh, Democrat, has been re-elected in Massachusetts. R. L. Beekman, Republican, has carried Rhode Island.

Arthur Casper, Republican, seems to have been elected Governor of Kansas.

James Withycombe, Republican, has been elected Governor of Oregon.

R. H. Spaulding, Republican, swept New Hampshire for Governor.

L. E. Hanna, Republican, has been re-elected in North Dakota, carrying the whole state ticket with him.

Martin G. Brumbaugh, Republican, has been elected Governor of Pennsylvania, and Senator Penrose has defeated A. M. Palmer by 200,000.

Thomas G. Rye, Democrat, has succeeded Ben W. Hooper as Governor of Tennessee.

## CARRANZA GOVERNMENT CHANGES ITS CAPITAL

Cause of Removal to Puebla Not Given In An Official Report.

El Paso, Tex., Nov. 4.—The constitutional provisional government, with its Cabinet members and archives was moved today to Puebla, where Gen. Carranza has been for several days, said an official report received today from Mexico City.

The cause of the change of the Government seat was not given.

## COPPER KING, STRICKEN AFTER VOTING DIES

Saratoga, N. Y., Nov. 4.—F. August Heinze, the copper king, died early tonight at the home of Judge Nash in Rockwood. He came here yesterday to vote and was stricken shortly after leaving the polling booth.

The physicians pronounced his ailment as cirrhosis of the liver. He continued to grow worse and died before his relatives could reach his bedside. Heinze was 48 years old.